

REMARKS

In the Office Action, claims 1-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,553,259 to Mouchawar et al. in view of U.S. Patent Application No. 2003/0208241 to Bradley et al.

In the Office Action, claims 8-11 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,846,264 to Andersson et al. in view of Bradley et al.

In the Office Action, claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Andersson et al. in view of Bradley et al. and in further view of U.S. Patent No. 6,731,978 to Olson et al.

In response thereto, new claims 14-24 have been added. Accordingly, claims 1-24 are now pending. Following is a discussion of the patentability of each of the pending claims.

Independent Claim 1 and Dependent Claims 2-7 and 14-17

Without addressing the merits of the rejection of claim 1, in accordance with the American Inventors Protection Act, the Mouchawar et al. reference does not qualify as prior art for a rejection under 35 U.S.C. §103(a) via 35 U.S.C. §102(e) because the present application has been filed on or after November 29, 1999 and the subject matter of the Mouchawar et al. reference and the pending claims were, at the time the invention was made, subject to an obligation of assignment to the same organization. Accordingly, the Mouchawar et al. reference no longer qualifies as prior art under 35 USC §103(a) via 35 USC §102(e) and it is respectfully submitted that claim 1 is in condition for allowance. Claims 2-7 and 14-17 depend from claim 1 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

Independent Claim 8 and Dependent Claims 9-12 and 18-20

Without addressing the merits of the rejection of claim 8, in accordance with the American Inventors Protection Act, the Bradley et al. reference does not qualify as prior art for a rejection under 35 U.S.C. §103(a) via 35 U.S.C. §102(e) because the present

application has been filed on or after November 29, 1999 and the subject matter of the Bradley et al. reference and the pending claims were, at the time the invention was made, subject to an obligation of assignment to the same organization. Accordingly, the Bradley et al. reference no longer qualifies as prior art under 35 USC §103(a) via 35 USC §102(e) and it is respectfully submitted that claim 8 is in condition for allowance. Claims 9-12 and 18-20 depend from claim 8 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

Independent Claim 13 and Dependent Claims 21-24

Without addressing the merits of the rejection of claim 13, in accordance with the American Inventors Protection Act, the Bradley et al. reference does not qualify as prior art for a rejection under 35 U.S.C. §103(a) via 35 U.S.C. §102(e) because the present application has been filed on or after November 29, 1999 and the subject matter of the Bradley et al. reference and the pending claims were, at the time the invention was made, subject to an obligation of assignment to the same organization. Accordingly, the Bradley et al. reference no longer qualifies as prior art under 35 USC §103(a) via 35 USC §102(e) and it is respectfully submitted that claim 13 is in condition for allowance. Claims 21-24 depend from claim 13 and are similarly patentable. Accordingly, it is respectfully submitted that these claims are in condition for allowance.

CONCLUSION

In light of the above claim amendments and remarks, it is respectfully submitted that the application is in condition for allowance, and an early notice of allowance is requested.

Respectfully submitted,

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